



General Assembly

January Session, 2003

Amendment

LCO No. **6514**

SB0104906514SD0

Offered by:

SEN. COLAPIETRO, 31st Dist.

SEN. HARTLEY, 15th Dist.

SEN. CAPPIELLO, 24th Dist.

SEN. KISSEL, 7th Dist.

SEN. GUGLIELMO, 35th Dist.

To: Senate Bill No. **1049**

File No. 201

Cal. No. 137

***"AN ACT CONCERNING GOOD SAMARITAN IMMUNITY FOR
PROFESSIONAL ENGINEERS."***

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2003*) (a) As used in this
4 section, "professional engineer" means a person licensed as a
5 professional engineer under chapter 391 of the general statutes, and
6 "public official" means a federal, state or municipal official (1) having
7 or duly authorized to exercise executive authority, (2) responsible for
8 coordinating emergency assistance, disaster relief or similar activities
9 to protect the public safety, (3) responsible for law enforcement
10 activities, or (4) responsible for conducting or coordinating building
11 inspections in an area of this state in which a declared emergency,
12 disaster or catastrophic event has occurred.

13 (b) A professional engineer who, voluntarily and gratuitously and
14 other than in the ordinary course of such professional engineer's
15 employment or practice, provides structural, electrical, mechanical or
16 other engineering services relating to any publicly or privately-owned
17 structure, building or piping system, in connection with an emergency
18 declared by the President of the United States under federal law or by
19 the Governor under the laws of this state, when such emergency is
20 caused by a hurricane, tornado, storm, flood, high water, wind-driven
21 water, tidal wave, tsunami, earthquake, volcanic eruption, landslide,
22 mudslide, snowstorm, drought, fire, explosion, collapse or other
23 disaster or catastrophic event in this state, at the request or with the
24 approval of a public official acting in an official capacity, shall not be
25 liable for civil damages for personal injury, wrongful death, property
26 damage or other loss, provided such structural, electrical, mechanical
27 or other engineering services are provided with reasonable care and
28 within professionally recognized standards for such an emergency.

29 (c) The legal protection provided in subsection (b) of this section
30 applies only in the case of engineering services that are provided
31 during the period of the declared emergency, including any extension
32 of such period, or not later than ninety days following the end of such
33 period or extension.

34 Sec. 2. Subsections (a) and (b) of section 14-96p of the general
35 statutes are repealed and the following is substituted in lieu thereof
36 (*Effective October 1, 2003*):

37 (a) (1) No person shall display upon any motor vehicle any light
38 visible from the front thereof other than white, yellow or amber, or any
39 light other than red, yellow, amber or white visible from the rear
40 thereof, except a light used with any school bus, without a written
41 permit from the commissioner. If the Department of Transportation
42 obtains from the commissioner such a permit covering more than one
43 motor vehicle operated by the department, it may display the lights
44 allowed under the permit on each such vehicle without placing a copy
45 of the permit in each vehicle.

46 (2) Any vehicle accommodating fifteen or fewer handicapped
47 students may use a flashing red light or lights during the time such
48 vehicle is stopped for the purpose of receiving or discharging such
49 handicapped students, any motor bus may carry a purple light or
50 lights, any interstate public service vehicle may carry a green light or
51 lights, any taxicab may carry a lunar white light or lights, and any
52 interstate commercial motor vehicle may display green identification
53 lights, in front thereof, as the commissioner may permit.

54 (3) A vehicle being operated by [the chief executive officer of an
55 emergency medical service organization] a licensed or certified
56 ambulance service to transport personnel to emergencies, as defined in
57 section 19a-175, an ambulance, as defined in section 19a-175, a vehicle
58 being operated by a local fire marshal or a local director of emergency
59 management may use a flashing red light or lights or flashing white
60 head lamps and a flashing amber light while on the way to the scene of
61 an emergency, except that an ambulance may use flashing lights of
62 other colors specified by federal requirements for the manufacture of
63 such vehicle. The chief executive officer of each such organization shall
64 provide annually during the month of January, on forms provided by
65 the commissioner, such officer's name and address and the registration
66 number on the number plate or plates of the vehicle on which the
67 authorized red light is or white head lamps and amber light are to be
68 used. A vehicle being operated by a member of a volunteer fire
69 department or company or a volunteer emergency medical technician
70 may use flashing white head lamps, provided such member or
71 emergency medical technician is on the way to the scene of a fire or
72 medical emergency and has received written authorization from the
73 chief law enforcement officer of the municipality to use such head
74 lamps. Such head lamps shall only be used within the municipality
75 granting such authorization or from a personal residence or place of
76 employment, if located in an adjoining municipality. Such
77 authorization may be revoked for use of such head lamps in violation
78 of this subdivision.

79 (4) Flashing or revolving white lights may not be displayed upon a

80 motor vehicle except (A) on fire emergency apparatus, (B) on motor
81 vehicles of paid and volunteer fire chiefs and their first and second
82 deputies or their first and second assistants should there be no
83 deputies, (C) as a means of indicating a right or left turn, (D) in
84 conjunction with flashing red lights on an ambulance responding to an
85 emergency call, or (E) on the top rear of any school bus. For the
86 purpose of this subsection, the term "handicapped students" means
87 mentally retarded, hard of hearing, deaf, speech-impaired, visually
88 handicapped, emotionally disturbed, orthopedically impaired or other
89 health-impaired students, or students with specific learning
90 disabilities, who by reason thereof, require special education and
91 related services; and the term "flashing white lights" shall not include
92 the simultaneous flashing of head lamps.

93 (b) A blue light may not be illuminated upon a motor vehicle, except
94 that a vehicle being operated by an active member of a volunteer fire
95 department or company, [or] an active member of an organized civil
96 preparedness auxiliary fire company who has been authorized in
97 writing by the chief executive officer of such department or company
98 or a vehicle being operated by a member of the Connecticut urban
99 search and rescue team, under the auspices of the Department of
100 Public Safety, may use such a light, including a flashing blue light,
101 while on the way to the scene of a fire or other emergency requiring his
102 services. Such authorization may be revoked by such officer or his
103 successor. The chief executive officer of each volunteer fire department
104 or company or organized civil preparedness auxiliary fire company
105 shall certify annually during the month of January, on forms provided
106 by the commissioner, the names and addresses of members whom he
107 has authorized to use a blue light as provided in this subsection. Such
108 listing shall also designate the registration number on the number
109 plate or plates of the vehicle on which the authorized blue light is to be
110 used.

111 Sec. 3. Subsection (c) of section 14-96q of the general statutes is
112 repealed and the following is substituted in lieu thereof (*Effective*
113 *October 1, 2003*):

114 (c) Flashing lights are prohibited on motor vehicles other than
115 school buses, except (1) as a means for indicating a right or left turn, (2)
116 flashing blue lights used by members of volunteer or civil
117 preparedness fire companies or members of the Connecticut urban
118 search and rescue team, under the auspices of the Department of
119 Public Safety, as provided by subsection (b) of section 14-96p, as
120 amended by this act, (3) on certain emergency and maintenance
121 vehicles by written permit from the commissioner, (4) flashing or
122 revolving yellow lights on (A) wreckers registered pursuant to section
123 14-66, or (B) vehicles of carriers in rural mail-delivery service or
124 vehicles transporting or escorting any vehicle or load or combinations
125 of vehicles or vehicles and load which is or are either oversize or
126 overweight, or both, and operated or traveling under a permit issued
127 by the Commissioner of Transportation pursuant to section 14-270, (5)
128 flashing red lights (A) on a motor vehicle accommodating fifteen or
129 fewer handicapped students used only during the time such vehicle is
130 stopped for the purpose of receiving or discharging such handicapped
131 students, (B) used by members of the fire police on a stationary vehicle
132 as a warning signal during traffic directing operations at the scene of a
133 fire, (C) on rescue vehicles, (D) used by chief executive officers of
134 emergency medical service organizations as provided in subsection (a)
135 of section 14-96p, (E) ambulances, as defined in section 19a-175, or (F)
136 used by local fire marshals or directors of emergency management, (6)
137 flashing green lights used by members of volunteer ambulance
138 associations or companies as provided in subsection (c) of section
139 14-96p, or (7) flashing white lights or flashing lights of other colors
140 specified by federal requirements for the manufacture of an ambulance
141 used in conjunction with flashing red lights or flashing head lamps
142 and a flashing amber light on an ambulance responding to an
143 emergency call. The prohibitions in this section shall not prevent the
144 operator of a motor vehicle who while traveling on a limited access
145 divided highway, because of the grade, is unable to maintain the
146 minimum speed of forty miles per hour, or who while traveling on any
147 other highway is operating such motor vehicle at such slow speed as to
148 obstruct or endanger following traffic, or the operator of a disabled

149 vehicle stopped on a hazardous location on the highway, or in close
150 proximity thereto, from flashing lights, installed on the vehicle
151 primarily for other purposes, in any manner that the operator selects
152 so as to indicate that such vehicle is traveling slowly, obstructing
153 traffic or is disabled and is a hazard to be avoided. The commissioner
154 is authorized, at such commissioner's discretion, to issue special
155 permits for the use of flashing or revolving lights on emergency
156 vehicles, on escort vehicles and on maintenance vehicles, provided any
157 person, firm or corporation other than the state or any metropolitan
158 district, town, city or borough shall pay an annual permit fee of two
159 dollars for each such vehicle, provided vehicles not registered in this
160 state used for transporting or escorting any vehicle or load or
161 combinations of vehicles or vehicles and load which is or are either
162 oversize or overweight, or both, when operating under a permit issued
163 by the Commissioner of Transportation pursuant to section 14-270,
164 shall not require such permit. On and after July 1, 1985, such annual
165 permit fee shall be three dollars, on and after July 1, 1989, four dollars
166 and fifty cents, on and after July 1, 1991, five dollars and seventy-five
167 cents and on and after July 1, 1993, seven dollars.

168 Sec. 4. Subsection (e) of section 15-129a of the general statutes is
169 repealed and the following is substituted in lieu thereof (*Effective*
170 *October 1, 2003*):

171 (e) Flashing lights shall not be used by any vessel except as
172 provided in this subsection. Flashing blue lights may be used by law
173 enforcement vessels of the United States, this state or a political
174 subdivision of this state or by vessels of the Connecticut urban search
175 and rescue team, under the auspices of the Department of Public
176 Safety, when such vessels are engaged in law enforcement activities or
177 when identification of such vessels is necessary for safety reasons.
178 Flashing white lights may be used on any vessel in accordance with
179 rules and regulations of the United States Coast Guard.

180 Sec. 5. (NEW) (*Effective July 1, 2005*) If any contractor, as defined in
181 section 20-419 of the general statutes, is determined by the

182 Commissioner of Consumer Protection to be in violation of the
183 provisions of section 20-420 or 20-432 of the general statutes, the
184 Commissioner of Consumer Protection shall notify the Commissioner
185 of Motor Vehicles of such delinquency in accordance with listings and
186 schedules of dates established by the Commissioner of Motor Vehicles
187 and on forms prescribed and furnished by the Commissioner of Motor
188 Vehicles, specifying the name and address of such contractor. The
189 Commissioner of Motor Vehicles shall not issue registration for any
190 commercial motor vehicle owned by such contractor for the next
191 registration period and no such registration shall be issued until said
192 commissioner receives notice from the Commissioner of Consumer
193 Protection that such contractor is in compliance with sections 20-420
194 and 20-432 of the general statutes. Any person aggrieved by any action
195 of the Commissioner of Motor Vehicles under this section may appeal
196 therefrom in the manner provided in section 14-134 of the general
197 statutes."

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>
Sec. 3	<i>October 1, 2003</i>
Sec. 4	<i>October 1, 2003</i>
Sec. 5	<i>July 1, 2005</i>